

RESOLUTION NO. R- 2441

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. CUP-77-34(P), BY IMAGE NATIONAL (ALBERTSON'S), TO ERECT A FREE STANDING SIGN WITHIN A BC (COMMUNITY BUSINESS) AND A FREEWAY INTERCHANGE DISTRICT (FID) ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH CONDITIONAL USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Conditional Use Permit for a free-standing sign filed by Image National for Albertson's, Inc., the owner of said property described in said application and located within a BC and FID zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of July 14, 1977, and

WHEREAS, pursuant to City of Kirkland Ordinance No. 0-2319 concerning environmental policy of the State Environmental Policy Act, an environmental worksheet has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental worksheet and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Community Development and having available to them the environmental worksheet and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Conditional Use Permit subject to the specific conditions set forth in said recommendations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in the Department of Community Development File No. CUP-77-34(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Conditional Use Permit shall be issued to the applicant subject to the conditions set forth in the Findings, Conclusions and Recommendations hereinabove adopted by the City Council.

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Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Conditional Use Permit or evidence thereof delivered to the permittee.

Section 4. Nothing in this section shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein,

Section 5. Failure on the part of the holder of the Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Conditional Use Permit is subject shall be grounds for revocation in accordance with Section 23.56.110 of Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

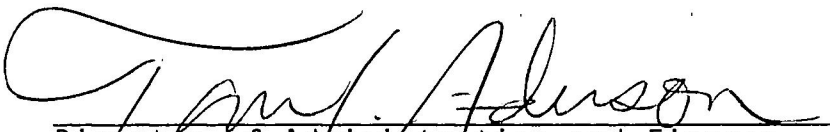
- (a) Applicant
- (b) Department of Community Development
- (c) Building Department of the City of Kirkland
- (d) Fire Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of the Director of Administration and Finance (ex officio City Clerk) for the City of Kirkland.

ADOPTED in regular meeting of the City Council on the 1st day of August, 1977.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

PREPARED BY _____ DATE _____

XX RECOMMENDED BY _____ DATE July 14, 1977

ADOPTED BY _____ DATE _____

STAFF _____

BOARD OF ADJUSTMENT _____

HOUGHTON COMMUNITY COUNCIL _____

XX PLANNING COMMISSION Robin Mullis
Robin Mullis, Acting Chairperson

CITY COUNCIL AS INCORPORATED IN _____

RESOLUTION _____ ORDINANCE _____

NUMBER _____

DATE _____

FILE NUMBER CUP-77-34(P)

APPLICANT IMAGE NATIONAL

PROPERTY LOCATION North side of N.E. 85th St. between 120th & 122nd Ave. N.E.

SUBJECT Application for Conditional Use Permit for a free standing sign

HEARING/MEETING DATE August 1, 1977

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Vicinity Map "B" Site Plan "C" Sign Plan

"D" Environmental Checklist "E" Application

FINDINGS

A. SUMMARY OF THE PROPOSED ACTION:

1. This is an application for a Conditional Use Permit to erect a free-standing sign on the north side of NE 85th Street between 120th Avenue NE and 122nd Avenue NE for the newly constructed Albertson's Shopping Center. (Exhibit "A"--Vicinity Map, Exhibit "B"--Site Plan)
2. The proposed sign is to be located along and oriented to NE 85th Street and will be a total of 62 square feet in size and be no higher than 17 feet above grade. This Conditional Use Permit would permit two signs on the one pylon, the first sign being an Albertson's sign which would be 39 square feet in size and blue and white in color. The second sign would be a smaller Bonanza Discount Drug Store which would be approximately 23 square feet in size and would be of blue, white, green, and red in color. (Refer to Exhibit "C"--Proposed Sign Plan)
3. The proposed building widths are identified in Exhibit "B". The Albertson's building width is 174 feet along NE 85th whereas the Bonanza Drug Store is 80 feet wide. The height of this structure is approximately 28 feet.
4. Albertson's and Bonanza have independently applied for individual sign permits on the face of the store fronts facing NE 85th. Albertson's has received a sign totaling approximately 160 square feet for a 5 x 32 foot sign. Whereas Bonanza has received a sign permit for a 113 square foot sign being 5 x 23 feet.
5. The applicant has identified the need for these signs in the following:

"Albertson's and Bonanza stores prime concern for having this pylon sign is the 440 foot set back from NE 85th Street and the recessed building locations that are 22 feet-0 inches below grade level of NE 85th Street. Also, with the close proximity to freeway intersection, this sign will be of public service in notifying customers of their setback location in time to make access decisions."

6. Approval of this application will constitute a "major action" under the provisions of RCW 43-21 C and WAC 197-10. The applicant submitted an environmental checklist with this Conditional Use Permit application. After reviewing the environmental checklist, the Director of the Department of Community Development made a threshold determination that approval of this application will not have a significant adverse impact upon the quality of the environment and that an environmental impact statement is not required. (on May 26, 1977). After the elapse of 15 days following the threshold determination and after reviewing comments submitted by interested parties, the Director of the Department of Community Development on June 10, 1977, adopted the proposed declaration

Findings, Cont.

A. 6. as a final declaration of non-significance. (Refer to Exhibit "D")

B. HISTORICAL BACKGROUND: Not applicable.

C. GOVERNMENTAL COORDINATION: Not applicable.

D. EXISTING PHYSICAL CHARACTERISTICS:

7. Topography. NE 85th does gain elevation from the west towards the east. NE 85th has approximately a 5% grade from the subject property to the east whereas it contains approximately a 3% grade to the west. As noted by the applicant, this property also slopes at approximately a 5% average grade from NE 85th to the buildings which are set 22 feet lower than the average elevation of NE 85th.

E. UTILITIES: Not applicable.

F. NEIGHBORHOOD CHARACTERISTICS:

8. Zoning. The subject property is zoned community business (BC) as are adjacent properties to the west and east. The subject property to the north is zoned residential single family whereas those properties on the south side of NE 85th are zoned general commercial and residential multi-family 1800. The subject property is also located within a freeway interchange district (FID) overlay zone.

9. Land Use. Adjacent land uses of the subject property generally consist of service stations and automobile oriented facilities. Automobile distributorship is located directly to the southeast of the subject property and an automobile gas station is located in the southwest corner of the subject property at the intersection of NE 85th and 120th Avenue NE. Lake Washington School District shops are located to the north of the subject property, however, much of the remaining property around this project remains undeveloped.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

10. The following are relevant sections of the Kirkland Zoning Ordinance No. 2183:

a. The sign ratio of the Community Business zone is 2 square feet of sign per horizontal foot of the face of the building. (Section 23.32.030).

b. Standards for approval of free-standing signs under a Conditional Use Permit: The Planning Commission shall review and evaluate each sign application according to the following criteria:

Findings, Cont.

- G. 10. b. (1) A permitted sign shall generally be attractive on all visible sides. There shall be no backside consisting of obvious braces and structures that could materially affect other properties.

Applicant's response: "No. All structural elements are visible, painted with heavy asbestos and vinyl finish."

- (2) Each business under one ownership shall have not more than one principal sign oriented toward a single street.

Applicant's response: "Yes. Building sets back from the pylon sign location 400 feet and has a lower elevation of approximately 22 feet from the street grade."

- (3) A permitted sign shall be in scale, size, and height to the building and the premises to which it is appurtenant.

Applicant's response: "Yes. Overall building height is 28 feet, overall sign height is 17 feet for maximum visibility due to traffic flow and depth of 400 feet building setback from street."

- (4) A permitted sign shall demonstrate interval relationship to the design and building and premises to which it is appurtenant, in its shape, detail, its material and its color.

Applicant's response: "Yes. The pylon sign reflects the stucco texture and dark brown color tones used in the building."

11. The existing policy direction of the Kirkland City Council and Kirkland Planning Commission has been to limit all free-standing signs in commercial zones within the City of Kirkland to 31.5 square feet in area and 17 feet in height above grade. However, in certain Freeway Interchange Districts (FID's) a slightly larger size signing ratio has been permitted which has been a maximum of 45 square feet in area. Of this the VIP's sign on NE 124th Street was permitted on a pylon whereas the Mobile gas station sign located almost adjacent to this project on NE 85th Street was permitted on a pedestal or ground mounted. There have been no previous applications for combined shopping center signage in the City since the adoption of the Kirkland Zoning Ordinance No. 2183.

12. The applicant will be required to conform to Policy 5C Economic Activities Elements to the Kirkland Land Use Policy Plan regarding signage.

CONCLUSIONS

A. SUMMARY OF THE PROPOSED ACTION:

1. This application for a Conditional Use Permit for a free-standing sign appears to generally be consistent with the spirit and intent of the Kirkland Zoning Ordinance sign section and past policy directions of both the Kirkland City Council and the Kirkland Planning Commission.

B. HISTORICAL BACKGROUND: Not relevant.

C. GOVERNMENTAL COORDINATION: Not relevant.

D. EXISTING PHYSICAL CHARACTERISTICS:

2. Topography. It does appear that this particular application does have extremely unique site characteristics due to the related distance and visual access to NE 85th where face-mounted signs would have little impact on passing traffic.

E. PUBLIC UTILITIES: Not relevant.

F. NEIGHBORHOOD CHARACTERISTICS:

3. Zoning/Land Use: No relevant conclusions.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

4. The following comments are relevant regarding the standards of approval for reviewing any Conditional Use Permit for free-standing signs: (Section 23.32.100, Ord. 2183)

- a. The proposed sign will be double faced with no braces and is proposed to be generally attractive from all visible sides.
- b. At the present time there is one identification sign permit that has been issued for both Albertson's and Bonanza Drugs generally oriented to NE 85th. However, this subject property fronts on three streets being NE 85, 120th Avenue NE, and 122nd Avenue NE. Further, the subject property is substantially lower than NE 85th and setback a considerable distance. A further review of the site plan, it is apparent to the Department of Community Development that a common shopping center complex sign would be appropriate along NE 85th to inform the motorist of available services without competing for attention or detracting from traffic safety signs.
- c. It appears that the proposed sign will be to scale with the building and to the premises to which it is appurtenant. The height of the sign would be generally the same as that which has been permitted in both freeway interchange districts and other commercial zones in the City of Kirkland.

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Conclusions, Cont.

- G. 4. d. It is apparent that the proposed sign demonstrates integral relationship to the design of the building to which it is appurtenant. Both the Albertson's and Bonanza signs appear to be standard design and colors which are attributed to other such like installations throughout the greater Seattle area.
5. Whereas previous applications in the freeway interchange district have been limited to 45 square feet in size, they have accommodated only one use and one user. This is somewhat of a different application in that this is in effect an application for comprehensive free-standing signing for the new Albertson's shopping complex. Since the City has had no previous similar applications, a new policy direction needs to be set in this condition.
6. Based upon the condition that 45 square feet has been the maximum signage permitted in the Freeway Interchange District for one particular use, the Kirkland Planning Commission finds no substantial reason why this application should have any additional square footage based on the size of the complex or the number of different copies on a sign. Therefore, the Kirkland Planning Commission recommends that the maximum square footage for this particular use at this particular location be not greater than 45 square feet and that the sign be not higher than 17 feet which is consistent with all other past precedents in the Kirkland area.
7. The aforementioned ratio appears to be a potential compromise which should provide some visibility for neighborhood shopping center complexes. This process is clearly superior than having each individual use requesting its own free-standing sign. Along NE 85th this is a concern which is identified in the Land Use Policy Plan and the Department of Community Development feels that the applicants have gone a substantial distance in meeting

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Conclusions, Cont'd

7. this requirement. However, consideration should be given to limit any additional free standing signs on this subject property to those that are found in this application. Therefore, no additional free standing signs should be located along N.E. 85th Street for this entire subject property. Additional face mounted signs should not be permitted along 120th Avenue N.E., nor 122nd Avenue N.E., but should be oriented toward the center of the parking area and therein generally toward N.E. 85th Street. This will reduce any potential impacts related to additional signage of the subject property.

RECOMMENDATIONS

Subject to the foregoing Findings and Conclusions and as identified in Exhibits "A" through "E", we hereby recommend that this application for a Conditional Use Permit for a free standing sign be approved subject to the following:

1. The free standing sign shall not be greater than 45 square feet in size or 17 feet above grade and as located in Exhibit "B".
2. No additional free standing signs shall be located along N.E. 85th Street for this entire subject property. Additional face mounted signs shall not be permitted along 120th Avenue N.E., nor 122nd Avenue N.E., but should be oriented toward the center of the parking area and therein generally toward N.E. 85th Street.

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VICINITY MAP
NO SCALE



116TH AVE. N.E.

INTERSTATE 405

INTERSTATE 405

125TH AVE. N.E.

SITE

124TH AVE. N.E.

124TH AVE. N.E.

NE 90TH ST

NE 85TH ST

NE 80TH ST

CEMETERY

LAKE WASHINGTON HIGH SCHOOL

EXHIBIT "A"
VICINITY MAP
CUP-77-34(P)
IMAGE NATIONAL